

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE BANK OF AMERICA CORP. : Master File  
SECURITIES, DERIVATIVE, AND : No. 09 MD 2058 (PKC)  
EMPLOYEE RETIREMENT INCOME : ECF Case  
SECURITY ACT (ERISA) LITIGATION :  
----- X -----  
This document relates to: :  
----- X -----  
Consolidated Derivative Action :  
----- X -----

**NOTICE OF DELAWARE SHAREHOLDER'S APPLICATION FOR  
ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum Of Law In Support Of Delaware Shareholder's Application For Attorneys' Fees And Reimbursement Of Expenses and all accompanying papers and exhibits thereto, as well as such other matters and arguments as the Court may consider, Delaware Shareholder, by and through her undersigned counsel, will make an Application upon this Court before the Honorable P. Kevin Castel, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York 10017, on April 4, 2013 at 11:00 a.m., for an order approving the Delaware Shareholder's Application for Attorneys' Fees and Reimbursement of Expenses.

Dated: New York, New York  
February 8, 2013

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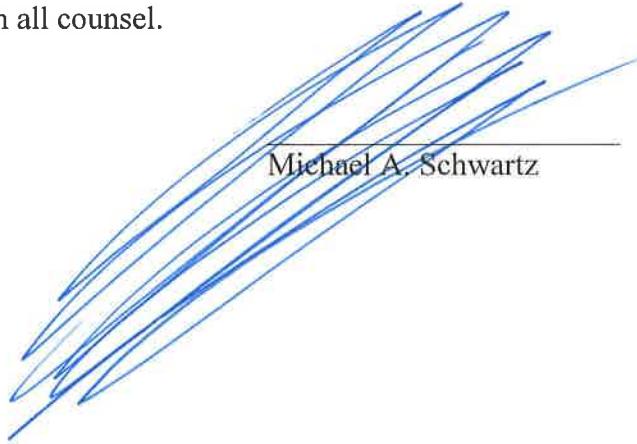
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Shareholder Nancy Rothbaum*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on February 8, 2013, I caused to be electronically filed the foregoing Notice Of Delaware Shareholder's Application For Attorneys' Fees And Reimbursement Of Expenses with the Clerk of Court using the CM/ECF system, which will send a notice of electronic filing on all counsel.

  
Michael A. Schwartz